

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Jaime A. Rabi Confirmation No.: 1836  
Serial No.: 10/806,296 Art Unit: 1623  
Filed: March 22, 2004 Examiner: Krishnan, Ganapathy  
For: Methods of manufacture of 2'-deoxy-beta-L-nucleosides Attorney Docket No: 11874-010-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

E-FILE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated September 2, 2008 of the Primary Examiner finally rejecting claims 13-20, 69-81 and 83-85 of the above-identified application.

The item(s) checked below are appropriate:

1.  An extension of time for responding to the final rejection for 0 month(s):  
 was filed on  
 is submitted herewith.
2.  A timely response to the final rejection has been filed on February 16, 2009.
3.  A fee in the amount of **\$540.00** is:  
 Required.  
 Not required (Fee paid in prior appeal).
4.  Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **\$270.00** is:  
 Required.  
 Not required (Fee paid in prior appeal).
5.  Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013 (referencing order no. 417451-999010).

Respectfully submitted,

Date February 16, 2009

/Kam W. Law/

By Kam Law (Reg. No. 44,205)  
For Rahul Pathak (Reg. No. 42,983)

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